

APPLICATION NUMBER	FILING DATE	FIRS	FIRST NAMED APPLICANT		ATTORNEY DOCKET NO.	
08/653,493	06/07/96	GADIOT	•	Ĺa	124-519	
	enter on Alberta			EXAMINER		
PM52/0225 NIXON AND VANDERHYE				TUDOR.H		
STH FLOOR				ART UNIT	PAPER NUMBER	
1100 N GLESE ROAD ARLINGTON VA 22201-4714			3641			
				E MAIL ED.	0.07007	

OFFICE ACTION SUMMARY	
Responsive to communication(s) filed on	•
This action is FINAL.	
Since this application is in condition for allowance except for formal matters, prosecution as to the maccordance with the practice under Ex parte Quayle, 1935 D.C. 11; 453 O.G. 213.	e rits is clos ed in
A sh ortened statutory period for response to this action is set to expire \(\sum_{\text{\chi}} \) \(\text{\chi} \) month(s whichever is longer, from the mailing date of this communication. Failure to respond within the period for the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the [1.136(a)].	response will cause
Disposition of Claims	
Claim(s)is/are	pending in the application.
Of the above, claim(s)is/are with	
Claim(s)	
Claim(s)	is/are rejected.
Claim(s)	is/are objected to.
☐ Claims are subject to restricti	ion or election requirement.
Application Papers	
☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.	
The drawing(s) filed on is/are objected to by the Exa	aminer.
☐ The proposed drawing correction, filed on is ☐ a	pproved 🗌 disapproved.
☐ The specification is objected to by the Examiner.	
☐ The oath or declaration is objected to by the Examiner.	
Priority under 35 U.S.C. § 119	
Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).	
☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been	
☐ received.	
: received in Application No. (Series Code/Serial Number)	
received in this national stage application from the International Bureau (PCT Rule 17.2(a)).	
*Certified copies not received:	
Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).	<u>"d</u>
Attachment(s)	C William CA
Notice of Reference Cited, PTO-892	CANTAL SERVE
Information Disclosure Statement(s), PTO-1449, Paper No(s).	
Interview Summary, PTO-413	TO A PRITE TO THE
□ Notice of Draftsperson's Patent Drawing Review, PTO-948	MAY FAOT
Notice of Informal Patent Application, PTQ-152 ON I TIME WITH A SECTION AND INCIDENTAL APPLICATION OF THE PROPERTY OF THE PROP	CIFED
DECLASSIFIED BY ORIGINATING AGENCY	COAST
- SEE OFFICE ACTION ON THE FOLLOWING PAGES PTOL-326 (Rev. 10/95)	* U.S. GPO. 1996-409-290:400

BONLIDCHILINI

Serial Number: 08/658,493

DECLASSIFIED BY ORIGINATING AGENCY

Art Unit: 3641

1. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "adapted to", in line 10 of claim 1 and in line 2 of claim 3, is vague and indefinite. Claim 1 is vague and indefinite in that it does not positively claim sufficient structure of the propellant support to support the functional language in lines 10-13.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 1, 2 and 3, as far as they can be understood because of their indefiniteness, are rejected under 35 U.S.C. 102(b) as being anticipated by either Dimond et al, Swedish Patent 124,185

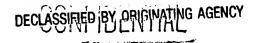
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or British Patent 676,368. In Dimond et al, plate 36' is the propellant support. In Swedish Patent 124,185, plate 5 is the propellant support. In the British Patent, elements 4 and 5 are they propellant support.

- 5. Claims 1-6, as far as they can be understood because of their indefiniteness, are rejected under 35 U.S.C. 103(a) as being unpatentable over Olstein in view of Burney. Olstein discloses the invention substantially as claimed. However, Olstein does not disclose the specifically claimed propellant support. Burney teaches, in Figure 2, a propellant support comprising a perforated plate 5 and a slotted load ring 7. The propellant support of Burney not only serves to hold the charge in place but also prevents the passage of solid particles of burning charge to the discharge nozzle. To employ the propellant support of Burney in the Olstein projectile to support the charge and to prevent the passage of solid particles of the burning charge to the discharge nozzle, would have been obvious to one having ordinary skill in the art at the time the invention was made.
- 6. Claim 7, as far as it can be understood because of its indefiniteness, is rejected under 35 U.S.C. 103(a) as being unpatentable over Olstein in view of Burney and French Patent 2,522,134.





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Olstein and Burney are applied as above. However, they do

using a base bleed system in addition to a propellant charge in

an explosive projectile to reduce base drag. To employ a base

bleed system in the projectile formed by the combination of

not disclose a base bleed system. The French Patent teaches

Olstein and Burney to reduce base drag, as taught by the French

Patent, would have been obvious to one having ordinary skill in

the art at the time the invention was made.

Any inquiry concerning this communication should be directed

to Harold Tudor at telephone number (703) 306-4172.

Tudor/gj-25

1-21-98

EXAMINER A GROUP ART UNIT 364)

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